

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

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UNITED STATES

v.

Senior Airman **KYLE A. DRAKE**  
United States Air Force

**ACM S32358**

**15 September 2016**

Sentence adjudged 7 October 2015 by SPCM convened at Seymour Johnson Air Force Base, North Carolina. Military Judge: J. Wesley Moore.

Approved Sentence: Bad-conduct discharge, confinement for 60 days, and reduction to E-1.

Appellate Counsel for Appellant: Lieutenant Colonel Anthony D. Ortiz.

Appellate Counsel for the United States: Gerald R. Bruce, Esquire.

Before

MAYBERRY, SPERANZA, and JOHNSON  
Appellate Military Judges

This opinion is issued as an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.

PER CURIAM:

The approved findings and sentence are correct in law and fact, and no error materially prejudicial to the substantial rights of Appellant occurred. Article 66(c), UCMJ, 10 U.S.C. § 866(c); *United States v. Reed*, 54 M.J. 37, 41 (C.A.A.F. 2000). Accordingly, the approved findings and sentence are **AFFIRMED**.



FOR THE COURT

A handwritten signature in black ink, appearing to read "L M C", is written over the printed name.

LEAH M. CALAHAN  
Clerk of the Court